

SECTION 4

SELECTION OF PERSONNEL

4-1. **Objective.** The procedure for selection for appointment shall be impartial, of a practical nature and shall relate to those matters which fairly test the relative merit, fitness and ability of the persons examined to discharge the duties and responsibilities of the position to which they seek appointment. Any examination, in which the Hiring Authority and Human Resources Director deem it desirable to do so, may include qualifying tests and may set minimum qualifying standards. No question in any examination shall relate to political or religious opinion or affiliations.

4-2. **Examinations – Ex-officio Chief Examiner.** In order to effectuate the provisions of the Rules so adopted, the Human Resources Director may also serve as Chief Examiner in examination procedures provided for in these Rules and Regulations.

4-3. **Subjects and Types of Test.** Each examination held to establish a list of eligible candidates may consist of one or more of the following: written, oral, assessment center, or performance tests which will test fairly the qualifications of the candidates. Each test is to have a value of one-third of the final rating. Every examination shall include tests of physical qualifications and health, including, in the case of persons seeking a position in the Police Department, a psychological test. All candidates must pass such physical and health examinations as prescribed for the position sought. Physical and health examinations shall be based upon the health standards and requirements adopted by the City as set forth in Schedule C.

4-4. **Written Tests.** A written test or tests may be used to measure the knowledge, ability, judgment, emotional stability, aptitude, and/or alertness of candidates insofar as such traits are related to ability to perform the work in a position or series of related positions. This part shall include a written demonstration designed to show the familiarity of the candidates with knowledge of the position to which they seek appointment.

4-5. **Oral Tests.** An oral test may be used to evaluate the personal fitness, the experience and training, the knowledge, capacity and judgment of candidates and ability of the candidate to deal with others and to meet the public. In considering personal fitness, it shall be appropriate to evaluate pertinent personality traits, but the evaluation shall be done on a basis which is as objective as possible.

4-6. **Performance Test.** Performance tests may be given to obtain from candidates samples of the kind of work involved in the position to which appointment is sought and to rate the work results and the speed and accuracy of performance. A physical test may be given, and may consist of competitive exercises or events designed to measure agility, strength, coordination, or fitness insofar as such traits are related to ability to perform the work. This test(s) is in addition to the medical examination by a City-approved physician.

4-7. **Experience and Training.** Competitive evaluation may be made of the relevance, level, recency, progression, and quality of experience and education offered by candidates. This may be done in an oral or an unassembled manner. Reports of superiors, former employers and

educational institutions may be considered in this process.

4-8. Conduct of Tests, Examiners and Compensation. The Human Resources Director may contract with any responsible organization or individual for preparation and scoring of tests. In the absence of such a contract, the Human Resources Director shall be responsible for the performance of such duties. The Human Resources Director shall arrange for the use of buildings and equipment for the conduct of tests and shall render or secure such assistance as shall be required in connection with the tests, including the selection, appointment and use of boards of special examiners when deemed desirable in any phase of the testing process.

4-9. Disqualifying Offenses. At the discretion of the Human Resources Director or Chief Examiner, candidates may be disqualified and rejected for any of the following reasons:

- a. Possession in the examination room of any paper, book or memorandum, or of anything else which might be of use or assistance in the examination, other than as permitted by the Human Resources Director or Chief Examiner. Such articles shall be surrendered to the examiner in charge before the beginning of the examination.
- b. Willfully copying, looking over the work of another candidate, or attempting to do so, or permitting any candidate to copy or look over any examination sheets or material in possession of a candidate.
- c. Willfully attempting to indicate identity on any examination paper, except as instructed to do so by the examiner in charge.
- d. Tardiness in reporting for the examination, unless admitted by the examiner in charge for good reason.

4-10. Qualifying Grades and Rating Tests. The final score of a candidate shall be based upon all tests and evaluations in the examination. Failure in one or more parts of the examination may be grounds for declaring candidates as failing in the entire examination, or as disqualified for subsequent parts of an examination. The Human Resources Director and Hiring Authority shall establish a minimum qualifying score.

4-11. Notification of Results. Each candidate taking an examination shall be given written notice mailed to the address as shown on the application, of the results, final rating, and if successful, the relative position of the candidate on the eligible list. All candidates shall have the right to inspect their own test papers after notification of results. An error in grading or rating shall be corrected if called to the attention of the Human Resources Director within ten (10) days after the mailing of notices of results of examination. Correction shall not, however, affect any certification or appointment which is made any time prior to the discovery of the error.

4-12. Promotional Test. As the needs of the Public Safety Service require, promotional tests may be conducted from time to time, and may include, in addition to the types of tests listed in this rule, evaluations of performance for the City and accomplishments in special training

courses. Candidates for promotion or appointment to a position of higher rank shall be employees in the Public Safety Service and must possess the minimum employment qualifications, if any, set forth in the classification plan.

4-13. Appeals. Any action in connection with the announcement, holding or scoring of examinations, the preparation or cancellation of eligible lists, rejection of application, removal from eligible list, and the making of appointments from such lists, is subject to review by the Personnel Advisory Board as provided by Section 12.

4-14. Eligible Lists – Description. As soon as possible after the conclusion of an examination, the Human Resources Director shall prepare an eligible list consisting of the names of persons successfully passing the examination and ranking high enough to be included on the eligible list, these names shall be arranged in order of final ratings received, from the highest score down to the lowest qualifying score. The final rating shall be determined by the total of the scores received by each candidate for each part of the examination, based upon the relative value assigned to each part of the examination before it was given. Whenever identical final ratings are received, names shall be arranged in the order of the scores on the part or parts of the examination which were assigned the heaviest relative values, or when parts of the examination are given equal value, priority of application filing date shall determine the highest standing on the list.

Eligible lists for entry level positions may be designated as “open/on-going”, in which case qualified candidates’ rank/position on the list can change each time other qualified candidates are added or removed. Ongoing lists do not have an expiration date.

4-15. Veterans Preference Ranking on Eligible Lists. The City shall grant veterans preference upon initial hiring to each veteran or veteran’s spouse based on official documents certifying eligibility and according to the following procedures and requirements.

- a. The names of all persons who have obtained final passing grades in all factors of the examination, shall be placed on the register in the order of their final rating, starting with the highest.
- b. The Human Resources Director shall add to the score of a veteran who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any position with the City:
 - i. Five (5) points to the total possible score, if a veteran;
 - ii. Ten (10) points to the total possible score, if a disabled veteran or a purple heart recipient; or
 - iii. in the case of a preference eligible widow or widower, the same points to which the qualifying veteran would have been entitled.
- c. A veteran who applies for a position that does not require an examination, or

examination results are stated other than numerically, shall be given preference in interviewing and hiring for the position.

4-16. Verifying Veterans Preference. Preference for veterans shall be allowed to persons who submit a copy of their discharge form (DD214) prior to the application deadline date.

4-17. Firefighter Certification Preference. A candidate is entitled to preference points as follows:

- a. One (1) preference point for evidence of an NFPA 1001, Firefighter I Certificate from a program which has been certified by the Utah Firefighters Certification Board, OR
- b. Two (2) preference points for evidence of an NFPA 1001, Firefighter II Certificate from a program which has been certified by the Utah Firefighters Certification Board, OR
- c. Three (3) preference points for evidence of a current certification and completion of the Utah Fire and Rescue Academy Recruit Candidate Academy (RCA) program.

4-17.1 Paramedic Preference. A candidate who holds a current paramedic certificate issued by the Utah State Bureau of Emergency Medical Services is entitled to five (5) additional credit points.

4-17.2 Fire Cadet Preference. A candidate who is currently working as a City Fire Department Cadet, and has been serving for at least one (1) year, or has been employed as a cadet with the City Fire Department within the last year and is in good standing, and has served for at least one (1) year, shall be entitled to one (1) preference point.

4-17.3 Hazardous Materials Technician Preference. A candidate who has a current certification as a Hazardous Materials Technician given from an accredited agency, shall be entitled to one (1) preference point.

4-17.4 Swift Water Rescue Technician Preference. A candidate who has a current certification as a Swift Water Rescue Technician given from an accredited agency, shall be entitled to one (1) preference point.

4-17.5 Maximum Preference Points Earned By Firefighter Candidates. The maximum preference points which can be awarded to the candidate's final score, pursuant to Sections 4-17, 4-17.1, 4-17.2, 4-17.3 and 4-17.4 shall not exceed eight (8).

4-18. Police Officer Certification Preference. Prior to any job announcement, the Human Resources Director and the Police Chief shall determine if preference points shall be given. If preference points are given, they shall be according to any, a combination, or all of the following options:

Ten (10) points for applicants who, at the closing date, are working as a Police Officer, Deputy Sheriff, or State Trooper,

OR

Five (5) points for applicants with a State of Utah approved P.O.S.T. Peace Officer (Category I) Certification, or currently enrolled in P.O.S.T and will be certifiable within six (6) months of the closing date.

OR

Two and a half (2½) points for applicants who, at the closing date, are working as a Correctional Officer, Reserve Police Officer, Military Police Officer, Court Bailiff, Community Service Officer, Telephonic Officer or Parole Officer.

4-19. Maximum Preference Points Earned by Police Officer Candidates. The maximum preference points which can be awarded to the candidate's final score, pursuant to Section 4-18, shall not exceed ten (10).

4-20. Preference Points. All preference points awarded pursuant to the provision of Sections 4-17, 4-17.1, 4-17.2, or 4-18 shall be added to the candidate's final score only if said candidate has a cumulative passing score at the end of the testing procedure.

4-21. Life of Eligible Lists. Eligible lists shall become effective upon certification by the Human Resources Director that the list was legally prepared and represents the relative ratings of the names appearing thereon. Eligible lists shall remain in effect one year unless canceled sooner by the Human Resources Director and may be extended by the Human Resources Director for an additional one year period.

Eligible lists for entry level positions may be designated as “open/on-going”, in which case qualified candidates’s rank/position on the list can change each time other qualified candidates are added or removed. Ongoing lists do not have an expiration date.

4-22. Vacation of Eligible Lists. The Human Resources Director may, at any time when in his/her opinion the public good will be served thereby, vacate any eligible list or lists, and thereafter no candidate on any list so vacated shall be appointed unless such candidate makes a new application, is examined, and qualifies as if such candidate had not been on the list so vacated.

4-23. Disqualification and Removal from List. Names of candidates may be removed from an eligible list by the Human Resources Director for any of the following:

- a. Inability of postal authorities to deliver certified mail to the candidate within a reasonable time.
- b. Conviction of a felony or a misdemeanor involving moral turpitude, or general misconduct.

- c. Proof to the satisfaction of the Human Resources Director of fraud or false statements in the application, or of fraudulent or improper conduct in connection with an examination.
- d. Probationary appointment to a position for which the eligible list was established.
- e. The request, or death, of the candidate.
- f. Failure to appear or to arrange for an interview with the Hiring Authority within a reasonable designated time after notification of certification.
- g. Refusing an appointment without a reason satisfactory to the Human Resources Director.
- h. Refusing certification without the consent of the Human Resources Director.

4-24. Request by Hiring Authority for Cancellation of Certification. Upon receipt of names certified from the eligible list and a determination by the Hiring Authority, through interviews, testing, or background investigation of a certified candidate, that a particular certified candidate is, in the judgment of the Hiring Authority, not capable of properly performing the duties of the position to which appointment is being sought, the Hiring Authority shall submit a letter to the Human Resources Director detailing the reasons for such determination and request that the certification of said candidate be cancelled. Upon review and concurrence of the Human Resources Director, the letter will be filed with the corresponding position register. The candidate in question has no right to appeal this action.

4-25. Notification of Removal from List. If, for any reason provided for herein, a candidate's name is removed from an eligible list, notice of such removal shall be given in writing by the Human Resources Director to the individual candidate, setting forth the reasons for such removal. Such notice shall be sent by United States mail and shall be post marked no later than five (5) days following removal from the eligible list.

4-26. Waiver of Certification. Upon written request by a candidate and as approved by the Human Resources Director, the name of that candidate may be maintained on the eligible list for such period, not to exceed one (1) year, as the Human Resources Director may determine, during which period the Human Resources Director will pass over and not certify such candidate to the Hiring Authority for appointment. The written request shall include a clear statement of the reasons therefore. Upon similar request made within three (3) days after such certification, the Human Resources Director has discretion to cancel and revoke the certification of such candidate and restore the name to the list to be maintained there as provided herein. The Human Resources Director's approval for the maintenance of such name without certification may be revoked at any time if the good of the service requires such action. Notice of revocation shall be promptly given to the candidates. The candidate may at any time cancel or withdraw a request under this subsection.

4-27. Eligibles Designation of Service Or Minimum Wage. A candidate whose name is on an eligible list for two (2) or more classes or positions of employment may designate, in writing filed with the Human Resources Director, the class, Department or position of service in which the candidate is willing to accept appointment, and shall not be certified for appointment except in accordance therewith. A candidate may similarly designate the minimum compensation he/she will accept, and no certification for appointment to a position with a lesser compensation than that designated shall be made.